

X

REASONS
FOR
THE SCOTCH EPISCOPAL CLERGY
SUBMITTING TO THE *ROYAL FAMILY OF HANOVER*:

A FRIENDLY ADDRESS
TO
THE ENGLISH ORDAINED EPISCOPAL CLERGY,
WITHIN THE
DIOCESS OF EDINBURGH, AND THEIR HEARERS:

WHEREIN ARE
STRICTURES ON SCHISM AND HERESY;
IN ANSWER TO
THE REVEREND PRINCIPAL CAMPBELL'S
LATE *DISSERTATIONS* ON THESE *SUBJECTS*.

IN TWO LETTERS.

BY THE RIGHT REVEREND BISHOP ABERNETHY-DRUMMOND.

1 PET. ii. 17. Fear God: Honour the King.
HEB. xiii. 17. Obey them that have the rule over you, and submit yourselves:
For they watch for your souls, as they that must give account.

EDINBURGH:
PRINTED for Mr SANGSTER, BOOKBINDER; and Mrs GRAY
and Mr WILSON, BOOKSELLERS.

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S I R,

IT is now almost four years since you expressed a desire, and that I have been anxiously solicitous to commit my reasons for complying with his Majesty's Government to the press; partly to vindicate my character, which, for being active in the late change, has been most unworthily traduced; and partly to gratify the curiosity of the public, which behoved to be roused upon so extraordinary an occasion. For that a body of Clergymen, educated in high notions of hereditary monarchy, and professedly attached by principle to the lineal heirs of the House of Stuart, should on a sudden shake off their old prejudices, and transfer their allegiance from an immediate descendant of their ancient sovereigns, to one more remote in blood, was an event so little to be expected, when no worldly prospect was in view, that there is hardly, I believe, a parallel case to be found in history. For which reason, it could not fail to astonish all serious and thinking people, and make them wonder how, upon the notions of government which were entertained among us, thus it could be. Accordingly, several gentlemen of distinction, firm friends to the reigning Prince, and therefore highly pleased with the change, signified to me their surprise at it, and wished to know on what grounds we had proceeded. For my brethren I presumed not to speak: but having detailed my own motives to those gentlemen at the time, I am now to endeavour to satisfy the public; which, for reasons needless to enumerate, I have hitherto been prevented to attempt: and I trust all sensible and unprejudiced people will be convinced that I have acted upon principle, and therefore did not deserve censure.

To begin, then: It has always been my opinion, that the oaths of ancestors about matters relative to property and dominion, are binding upon their posterity; in like manner as the oaths of Joshua and of the princes of Israel to the Gibeonites were obligatory upon their children 400 years after, in the days of Saul, *2 Sam. chap. xxi. 1. 2.* And in this I am confirmed, by considering the ancient constitution of
our

our government. Before the Revolution, it is well known, that oaths of allegiance were sworn not only to the reigning sovereign, but to his *heirs* after him : And I presume all friends to monarchy, and even sensible republicans, will admit, that then, the King's eldest son had a right, which could not in justice be defeated, of succeeding to the throne, provided that no act of forfeiture had been committed either by his father or himself. Now, if this was so, which I think cannot be denied, I see not upon what grounds the Prince's right was founded, except upon the oaths which parliament and people had sworn to him as his father's heir. For, though to alter the line of succession might have been imprudent, or inconvenient, it could not otherwise, I apprehend, have been unjust : Because, all parliaments being omnipotent, as Judge Blackstone writes, and incontrollable ; unless the oaths which the members of the preceding parliament had taken to the Prince of Wales were obligatory upon their successors, the next *parliament* (and *a fortiori* the people, from whom both king and parliament are said to derive their power,) had a right to change the race of monarchs as often as they pleased. Whether the oaths of ancestors binding their posterity is or is not a proper foundation to build the right of government upon, it is unnecessary at present to inquire. It is sufficient for my purpose to observe, that as our parliaments and people had, times without number, and many centuries before original contracts were thought of, sworn allegiance to the House of Stuart, and their heirs, for ever, without any condition or reservation whatsoever, I considered myself as obliged to submit to the government and authority of that royal family, ay and until some one righteous heir should either explicitly renounce, or, by some manifest overt act, forfeit his title to my allegiance. Upon this principle, I adhered conscientiously to the son and eldest grandson of the unfortunate James VII. during their natural lives ; and would have persevered in a steady attachment to the last of that ill-fated race, had he laid aside his cardinalate and bishoprick when the succession opened to him, and placed himself in the same situation, with respect to the people of this country, as his brother was in before his death. That, however, he did not ; but, on the contrary, soon declared his intention to retain both those obnoxious offices : where-by he, in my apprehension, loosed the allegiance of all the friends of his family, who otherwise would have been bound to acknowledge him as their Sovereign.

To



To make this plain, I lay down the following propositions as indisputable maxims, because clear and self-evident truths.

1st, That a Prince who claims the right of sovereignty over an independent monarchy and people, must be a free man; *sui juris*, as the law speaks; that is, master of himself and of his actions; at liberty to do what the laws of his country permit, and to employ his time and talents in the service of those whom he pretends to have a right to govern. And, 2^{dly}, That the relation of King and subject is mutual: consequently, if subjects are obliged every moment of their lives to pay allegiance to any Prince as their sovereign, that Prince is obliged to keep himself every moment of his life in a capacity to receive their allegiance: or, in other words, must accept of no offices which are incompatible with sovereignty. Now let us apply these to the case of Prince Henry, youngest grandson to the deceased King James VII. It is a notorious fact, that long before his elder brother died, he had accepted of a Cardinal's hat; and also had become a real Bishop, and accepted of the Bishopric of Frescati, within the patrimony of St Peter, and in the neighbourhood of Rome. It is equally well known, that after the demise of his brother, he did not resign these offices, but signified his resolution to keep possession of both. By the first of them (the Cardinalate) he became, and is, privy counsellor to the Pope; by the other (Bishop of Frescati) he became, and still is, bound to perform personal services, or the Episcopal functions, for life in that diocese, unless released by the Pope. Now, if it be true, that in discharging the duties which these offices subject him to, he must be under the controul and absolute authority of a master, and that the execution of them is incompatible with the sovereignty of Great Britain, the consequence must be, that by retaining those employments, his Eminence hath virtually renounced, or I may rather say, has actually forfeited, agreeable to the fore-mentioned maxims, all right and title to the obedience of such British subjects as adhered to his father and brother. For the kingdom of Great Britain being an independent monarchy, its Crown Imperial, and, in the law-style, holden of God only, it follows, that no man can sway the sceptre of these realms, who voluntarily puts himself into the absolute power of, or makes himself so dependent upon the will of another, that he cannot, without that other's consent, go where duty as a sovereign leads him, nor employ his time and talents in the service of the people of this country. But

in this dependent situation, the youngest grandson of the deceased King James VII. has been for many years back, and is at this moment. For being, as Cardinal, privy counsellor to the Pope, as already observed, he is, by the oath of fidelity, which all privy counsellors swear in all kingdoms to their respective monarchs, bound to assist the Pope in the management both of his spiritual and temporal kingdoms, however inconsistent their interests may be with the interest of Great Britain and Ireland. Consequently he is bound by his oath, to spend his time at present, and employ his talents also, in Italy, for the benefit not only of monarchies very different from, but wildly hostile to this country. For which reason, having accepted of an office which puts it out of his power to discharge his duty to us, he can have no right to our allegiance. On the contrary, he has actually forfeited, or may be truly said to have virtually, and to all intents and purposes, *renounced* his title to our allegiance, even supposing it to be true, that, by a protest, he verbally claimed it. To make this clear: Put the case, that a subject of this kingdom has engaged himself by oath for life in the service of a foreign Prince; I ask, whether that subject may not, with great propriety, be said to have given up his country, and to have renounced, as far as he can, his allegiance to his natural sovereign? And if this question must be resolved in the affirmative, as it is plain it must, does it not follow, that the youngest grandson of King James VII. by accepting offices under oath, which bind him for life in the service of the Pope, has virtually renounced all connection with Great Britain and Ireland? To me it is manifest that it does. For a claim by protest afterwards cannot possibly evacuate the obligation of his Eminence's oath, any more than an *ex post facto* declaration, or an after-protest by the afore-mentioned subject, would relieve him from the obligation of his oath. On the contrary, the case is more unfavourable for the Cardinal, than for any subject. Because claiming to be a Sovereign Prince, and owing allegiance to no other superior except to the Pope, (in whose dominions he was born), he was at liberty to bind himself to his Holiness, under any obligations he thought proper. Whereas a British subject cannot transfer his allegiance, nor subject himself for life to a foreign Prince, without his Sovereign's consent; and therefore might plead, that he was released from his oath, as being under a prior obligation to his natural King. Suppose it therefore to be true, I say, that Prince Henry has claimed, by protest, the crown of these realms, and a right to the
allegiance

allegiance of the subjects, his claim was in direct opposition to his oath; and therefore is absolutely null and void, and lays us under no obligation to submit to him. For in fact he claimed a nullity, or a thing which had no existence, nor can have; because he claimed to be the Sovereign of a free and independent monarchy, which implies, that he was in a condition to perform the duties of that high station; and yet had placed himself by oath, at that very time, in absolute subjection to, and dependence upon a foreign Prince; which is a contradiction in terms, absolute dependence and independence being perfectly incompatible. But it is not only as Cardinal that the youngest grandson of King James VII. is in thralldom to the Pope; he is under the same bondage as Bishop of Frefcati: for in quality of Bishop, he has sworn the oath which you will see at the end of this letter, extracted from the Romish Ordinal, or form of consecrating Bishops and other ministers used by the Church of Rome; and a very extraordinary oath it is. However, I mean not to animadvert upon the whole of it, but for brevity's sake, to direct your attention to a few points only, and particularly at present to the following article: "I shall receive the Apostolical (that is the Papal) commands with humility, and execute them with the utmost diligence*." Here you may perceive that there is *no exception* or limitation made; and therefore none can be admitted, provided the commands are not sinful. Suppose then, that the Pope should order Prince Henry to go to India, there to preach the gospel to the Hindoos; that command would evidently be lawful, because in no respect repugnant to the word of God. And if so, his Eminence being a clergyman, subject to the Pope as head of the Church, and more particularly so, as a Bishop within the Roman Province, and one born in his dominions, would be obliged to obey. For a Prince who enters into holy orders, has no right to plead exemption from the lawful commands of his superior, more than one of inferior birth; nay, no more than one descended from the very lowest of the people: because high and low, rich or poor, makes no difference in the Church of God, all men being equal and on a footing in God's sight. And the supreme head must undoubtedly have authority, to send any Bishop under his jurisdiction, to perform Episcopal offices in any part of the world he pleases, however high that Bishop's birth may be. Now I ask, whether a Prince who is in such a dependent si-

* Mandata Apostolica humiliter recipiam, et quam diligentissimè exequar.

tuation, that he is in conscience obliged to go to the utmost
 ends of the earth at the command of another, is in a con-
 dition of being King of Great Britain? To say that the
 Pope will not send him there, is to speak at random, and
 without any manner of authority; because no man can tell
 what the freaks of a Pope, or any other person may prevail
 on him to do. Nor is it to the purpose, whether he shall
 send him or not; I mean, it does not alter the case, or re-
 move my objection; because, *being liable to be sent*, places the
 Cardinal in such a dependent condition, deprives him so ef-
 fectually of his freedom, and subjects him so absolutely to
 his Holiness's power and controul, that he is evidently not
 his own master, and consequently, is incapable, as al-
 ready observed, of being the Sovereign of an independent
 monarchy. If it shall be alledged that the youngest grand-
 son of King James VII. being after his brother's death a
 Sovereign Prince, might refuse to obey a command which
 ordered him to India, I answer in the *first* place, That being
 born in the Pope's dominions, it is doubtful whether he
 could avail himself of that claim against the Sovereign of
 the country in which he drew his first breath. But be
 that as it will, or supposing the Pope to have no right to his
 allegiance as a native, I say, *2dly*, That before Prince Hen-
 ry could plead exemption, he behoved to lay aside his Bishop-
 ric, which he has not yet done; because *all Bishops* within the
 Pope's dominions, are, without distinction, equally obliged to
 obey his lawful commands, as already noticed, his Holiness be-
 ing spiritual superior to those of high birth, as well as low.
 But moreover, I say farther, and in the *3d* place, That by
 retaining his Cardinalate and Bishopric after his elder bro-
 ther's death, he continued in a situation which absolutely
 unfitted him for executing the office of King of Great Bri-
 tain; it being as impossible to act the part of privy counsel-
 lor to the Pope, and Bishop of Fiescati, and King of Great
 Britain, at one and the same time, as it is to be in Italy and
 England at one and the same time: And therefore, since he
 then formally declared to the world, that he was still re-
 solved to hold the two former, he behoved, *ipso facto*, or
 by the very act of retaining his Cardinalate and Bishopric,
 to lose or forfeit his title to the third, that is, to the
 kingdoms of Great Britain and Ireland. Indeed the reten-
 tion of those offices, effectually prevented the relation of
 King and subject to be formed between his Eminence and
 his father's friends; and as he pretends no claim to royalty
 but over the people of this country, the retention of those
 offices

offices evidently deprived him also of his right to sovereignty, and consequently of all right to plead exemption from the authority of the chief Pontiff; even supposing, that an independent monarch, when a Bishop, can lawfully claim that privilege; which I apprehend is not true. And from all that has been said, I conclude, that upon the demise of the eldest grandson of King James VII the right of blood to the kingdom of Great Britain, according to the principles of hereditary monarchy, descended to the King of Sardinia, as if Prince Henry had expired at the same time.

Against what I have said, three things have been urged by our malcontents. *First*, That a Cardinal succeeded to the Crown of Portugal; and why not, say they, to our Crown? *2dly*. That Prince Henry could not resign his Cardinalate and Bishopric, without exposing himself to the danger of want of bread. And, *3dly*, It has been insinuated, That his retention of them at present should not be considered, either as a surrender, or forfeiture of his rights, but at most, as a temporary suspension; because he waits only for an opportunity of succeeding to the Crown of Great Britain, when the Pope will consent to his resignation, and set every thing to rights.

As to the *first*, it must be acknowledged, that a Cardinal did succeed to the Crown of Portugal, and another to the Dukedom of Savoy; but it is also true, that they resigned their hats when the succession opened to them; and had Prince Henry done the same, and also surrendered up his Bishopric, his brother's friends could have had no objection to him: For it was not his accepting those offices while his brother was in *life*, but his retaining them after his *death*, which rendered him incapable of the succession.

As to the *second*, That Prince Henry could not resign his Cardinal's cap and Bishopric, without danger of his want of bread, the proper answer is, in the first place, that the fact is not true, because he might have renounced both, and yet enjoyed a very fair inheritance. By his Bishopric, which is but a poor one, I am well assured, he gains nothing. And without the Cardinal's hat, he might have possessed very numerous and rich benefices. Many *Lay Abbés* in the Church of Rome have great incomes. And we may be sure, that a Prince, whose family had lost three kingdoms for the sake of Popery, would have obtained a dispensation to hold all the sinecures which the Sovereigns of Europe chose to confer upon him. But should this be disputed, as with truth it cannot, I say farther, that as he enjoyed at least L. 25,000 Sterling *per annum* for forty years before his
brother's

brother's death, he might have lived in Italy upon two-thirds of his income like a Prince, been abundantly charitable, and, with good œconomy, saved above L. 300,000. His brother never enjoyed much more than L. 12,000 *per annum*, and yet left a considerable sum of money; so that if Prince Henry was necessitated when his brother died, to keep his obnoxious offices for the sake of bread, which I am satisfied was not the case, it was a necessity of his own making, the effect of idle profusion, or enthusiastic extravagance, and so very little to be pitied. But be that as it will, I add, in the *second* place, that should want of bread have been the consequence of resigning his Cardinalate and Bishopric,—to resign, was indispensably necessary, if he meant to claim the Crown of Great Britain. For, though the case would have been extremely hard. it could admit of no remedy; because the nature of things cannot be altered to his, or any other man's liking; nor will they accommodate themselves to his or any other man's convenience, but will ever remain permanently the same, however Princes or peasants may be affected by them: that is to say, if certain offices are incompatible, and cannot possibly be occupied together, (as the offices of privy counsellor to the Pope, and Bishop of Freseati, and King of Great Britain, evidently are,) it clearly follows, that, if one chuses to accept of, and retain the two former, as Prince Henry has done, he must take his election with all its disadvantages, and by necessary consequence forfeit his title to the latter, as already observed. If it still be said, that as Prince Henry's resignation would not have procured him the Crown of Great Britain, it would therefore have been very foolish, I answer, that though it would not have procured him the throne of Great Britain, it would have had all the effect, that in common sense he could expect from it. For, by putting him in the same situation as his father and brother were, it would have secured the attachment of all their friends; as no man of principle, who had stood by them, would in that event have forsaken him. Whereas, by retaining those offices, he placed himself in such disadvantageous circumstances, as his father and brother were never in, and in which it was impossible for him, as we have seen, to discharge the duties of King of Great Britain. Consequently, those offices prevented, as has been before noticed, the relation to be formed between him and his father and brother's friends, which would otherwise have taken effect. For birthright alone

lone does not confer a title to a throne. A Prince who claims it, must keep himself in a capacity of performing the functions of a King, and do nothing to disqualify himself so much as for a day; otherwise, the allegiance of the subjects ceaseth as to him, and directly passes to the Prince who is next heir according to the constitution of the kingdom. For as idiotry and insanity are natural incapacities for government, so the acceptance of a Cardinal's hat and Bishopric in the Church of Rome, must in all reason be considered by men of a different religion, as a *political* incapacity: And of the three, political incapacity should in reason be deemed the most exclusive. For the two former, being inflictions by the hand of God, and not of mens own procuring, Princes, who have the misfortune to labour under such disorders, ought, by way of compensation, to have all the honour conferred upon them that they are capable of receiving. Particularly, a regency should be appointed for them, to govern in their names. But he who voluntarily incapacitates himself, by accepting offices which are inconsistent with the duties of an independent monarch, cannot, in common sense, claim, nor ought to be allowed, the benefit of a substitute, but should be considered as having forfeited his title.

A *third* thing insinuated by our malcontents, is, That the Pope will consent to Prince Henry's resignation of his Cardinalate and Bishopric, when he sees a likelihood of his succeeding to the Crown of Great Britain; and therefore, that we should consider his retention of them at present, only as a temporary suspension of his Eminence's right to our allegiance, and not either as a surrendery, or a forfeiture of it. Now to this I answer, in the *first* place, That to affirm or deny, what the Pope will, or will not do, hereafter, is to speak without book; and just as uncertain, as that the foreign Prince before mentioned would relieve a British subject from his obligation; because both depend upon the temper and humour of the respective Potentates at the time. But I say farther, that, granting it were certain that the Pope would set Prince Henry free from all his shackles, in the event of his being called by the people of Great Britain, it is nothing to the purpose, nor does it alter the case in the least. For our business is only to consider what was the Cardinal's state at his brother's death, and not what it may be at any future period. Because, since there is not one moment in any subject's life, in which he owes not, and therefore is not bound

bound to pay, allegiance, (otherwise he would cease for that moment to be a subject, and commence Sovereign); for the same reason, a King must not for one moment place himself in a condition which renders him incapable of receiving the allegiance of his subjects, otherwise he ceases to be a Sovereign, and his right must pass, as just now observed, to the next heir. For, as in a hereditary monarchy, the King never dies, so the allegiance of subjects can never stop; but the moment it is either surrendered, or forfeited by the nearest heir, it must go on, and cannot revert to him again; because, by his own voluntary act and deed, it becomes the property of his relation, without whose consent it cannot be recovered. It being then evident, from what has been already said, that the grandson of King James VII. by retaining his Cardinalate and Bishopric after his brother's death, became so much subjected to the Pope, that he ceased to be his own master, a free and independent Personage, capable of reigning over and discharging his duty to a free people; and it being also evident, that those obnoxious offices are incompatible with sovereignty, I might here take my leave of Prince Henry, because it has appeared, that he has rendered himself incapable of becoming King of Great Britain; that the right to our allegiance has departed from him, and is become the property of another; and consequently, that we are not, nor in common sense can be, his subjects.

But as this will receive additional illustration, by attending a little more to the oaths which he has taken both as Cardinal and Bishop, it will not be improper to consider these a little farther. I have already told you, that, as privy counsellor to the Pope, he has sworn to assist his Holiness in the government both of his spiritual and temporal kingdom, however inconsistent their interests may be with the interest of Great Britain and Ireland. Now the consequence of this is, that were the Pope to lay a plan for the re-establishment of Popery in these kingdoms, (as undoubtedly he will do whenever he sees any hopes of success), the Cardinal would be obliged, by his oath, to assist in the execution of that plan, in direct opposition to the oath which he behoved to take, if seated on the throne of our realms: which surely is a very disagreeable circumstance, if it is not a disqualifying one, and behoved to make a wise and religious nation very unwilling to accept of him as their Sovereign, could they possibly avoid it; which I think I have proved they can do. Farther, as Bishop, his Eminence has sworn in these terms: " I
" shall

“ shall prosecute, and oppose heretics, schismatics, and rebels, to the same our Lord (the Pope) and his successors aforesaid, to the utmost of my power.” Now the meaning of this cannot be merely an obligation to banish and drive away all erroneous and strange *doctrines*, as the Romish writers of late are pleased to alledge, because erroneous or *strange doctrines* can, in no propriety of language, be styled *rebels* to the Pope; and, therefore, the substantive, which is understood to agree with the adjective *rebelles*, must be *homines*, or *viros*; and so the oath must carry an obligation, to prosecute and oppose, or to be enemies to heretical and schismatical *persons*. It is but justice, however, to observe, that the words *persequar et impugnabo* ought not here to be construed in their most rigorous meaning, as implying to wit an obligation to *murder* or *banish* heretics and schismatics; because it must be allowed that the oath is imposed alike, and in the same sense, upon *all Romish Bishops*; and as but few of them, comparatively speaking, are sovereign princes, who have the power of life and death, and banishment, therefore none of them can be bound by *this oath* either to destroy or proscribe heretics or schismatics. But though Roman Catholic Bishops are not bound by their consecration-oath to inflict the severest penalties on their Protestant subjects, they are under other obligations, which makes the case of those poor people very hazardous: For the spirit of Popery is intolerant, as has been often proved by many divines at home and abroad; and particularly by the learned Dr Hurd Lord Bishop of Worcester and the late Bishop Halifax, in their sermons at Dr Warburton’s Lectures. Indeed the intolerance of the spirit of Popery can be doubted of by none who have read the canons of the 4th general council of Lateran, *anno* 1215, by which all secular powers are “admonished, and, if need be, are to be compelled by the censures of the church to take an oath to exterminate from their dominions *all who are denominated heretics by the church*.” It is true, a *lay prince* may possibly be ignorant of this canon; or, like the Catholic dissenters in England, he may deny its power to bind him: but an *ecclesiastical Romish prince* cannot pretend ignorance of so remarkable a canon of so remarkable a general council; nor

can he deny, that it is his duty to submit to the *authority* of his church in all matters relative either to faith or morals. Consequently he must know that he is *obliged* to exterminate all heretical or schismatical persons out of his dominions, and therefore cannot perform the part of an indulgent sovereign to Protestant subjects, because he will naturally consider himself as under a *prior*, and if possible, a *stronger* obligation to distress them, than that which he may have taken to secure their liberties: For the one is bound upon him by the sacred command of his *church*, to which, Bishop George Hay tells us, (Detection of Principal Campbell's sermon, p. 46.), "all Roman Catholics owe obedience, as to the dictates of Jesus Christ;" whereas the other arises only from an oath given to *heretics*, which he may not only think it *lawful*, but even his *duty* to dispense with. If it be said, that the state of Protestants under the Popish electors in Germany confutes what I have advanced with respect to ecclesiastical Popish princes, I have been assured that Protestants, in Germany, have suffered infractions of their legal privileges under their ecclesiastical electors, even in this century; and that, if for the most part, they now enjoy tolerable ease and tranquillity, it is partly owing to the mild tempers of their princes, which dispose them to be more merciful than their religion requires them to be, but chiefly to the peace of Westphalia, and other treaties, which are guarantied by all the Sovereigns of Europe, and therefore cannot be very openly, frequently, or in very gross instances violated, without the danger of a civil war. Be that as it may: as to the lawfulness of breaking faith with heretics, though reprobated by the English Catholic dissenters, it has, so late as the year 1768, been confirmed, by the authority of the Pope's legate at Brussels, Thomas Maria Ghilini, Archbishop of Rhodes; and it cannot reasonably be supposed, that he would have dared to decide upon so important a point, without permission from the *Holy See*; especially as it had been given up by many who pretended to be Roman Catholics in Great Britain before that time. About the year 1768 an oath of allegiance for the Roman Catholics in Ireland, was in contemplation; by which they were to declare their abhorrence of the doctrines—that faith is not

to be kept with heretics, and that princes deprived by the Pope, may be deposed, and murdered by their subjects. This proposed declaration, which, one would think, every man who has the least knowledge of Christianity, or tincture of humanity in him would approve of, was yet considered by the legate, (who had the superintendence of the Romish Church in Ireland), not only as unworthy of *Catholic Bishops*, but as *perfectly intolerable*; for this reason, as he tells the titular Archbishop of Dublin, that "*these doctrines are defended and contended for by most Catholic nations, and the Holy See has frequently followed them in practice.*" And upon the whole he decides, that as "*the oath in its whole extent is unlawful, so in its nature it is invalid, null, and of no effect, so that it can by no means bind and oblige consciences.*" [Pluribus rationibus vituperabile est, et indignum Præsulibus Catholicis novum juramentum; sed prorsus intolerabile si spectetur illa protestatio quam habet annexam, &c.—Doctrinam hanc quæ detestabilis asseritur in hoc juramento, eam defendi et propugnari a plerisque nationibus Catholicis; eandemque in praxi pluries secutam fuisse Apostolicam Sedem.—Juramentum, quod cæteroquin, quemadmodum in tota sua extensione est illicitum, ita natura sua est irritum, ac nullum, nulliusque valoris, vel minime conscientias adstringere et obligare posset."] See extracts from the Legate's letter, by the learned and worthy Dr John Erskine, in his *Sketches of Church History*; which contain much useful, though some very melancholy information: or the whole of the Legate's letter may be seen at the end of the present state of the Church of Ireland, by the Lord Bishop of Cloyne in 1787. It was first published (the Bishop of Cloyne tells us) by Thomas de Burgo (or Burke) titular Bishop of Ossory, anno 1772, together with three similar letters to the other three titular metropolitans; and it was styled by Bishop Burke, a letter *truly valuable and worthy of preservation*.—"literæ vere aureæ, cædroque dignæ." If Bishop George Hay, when in his pretended detection of Principal Campbell's sermon page 44. he challenged that gentleman "to produce either the rescript of a Pope, the decree of a council, or the opinion of *any one approved* divine of the Roman Catholic communion, that holds, approves, or so much as *insinuates*, the damnable doctrine

“ trine of breaking faith with heretics,” or when he attempted, *anno* 1779, to answer my first pamphlet on that subject, had either seen or heard of Archbishop Ghilini’s letter to the titular Archbishop of Dublin, I wish him no severer punishment than the reflections of his own mind. But if he has not yet seen it, I recommend it to his perusal now, and expect he will have the candour to confess that the crime of breaking faith with heretics, was not unjustly imputed to the Church of Rome; or at least that there are some *even conspicuous Divines* of her communion who do not barely *insinuate*, but *teach and approve* of that detestable doctrine and practice. But to return from this degression, besides the above remarkable particulars in the oath of Popish Bishops, at their consecration, they further swear “ to assist the Pope, to retain and defend the Roman Papacy and the *royalties of St Peter*, against every man, saving their own order.” And as if the powers of the Church and Pontiff were not sufficiently numerous and great already, they swear to be careful to preserve, defend, *enlarge*, and promote *all the rights, honours, and privileges of the holy Roman Church, and of their Lord the Pope, and his successors*: and what the phrase *royalties of St-Peter*, may comprehend in the opinion of a bigotted prince, or how much farther he might wish to *enlarge* the powers and privileges of his Church, and her Head, it is impossible for me to say; but clear it is, that *Protestant* subjects under a Sovereign who has sworn such an oath, must be in a very precarious and dangerous situation; and that being the case, I may ask you, good Sir, whether, after the youngest grandson of King James VII. had, by retaining his incapacitating offices, fairly set us free from our allegiance, we had *still adhered* to him, and by forcing him in a manner to become our Sovereign, had unnecessarily exposed ourselves to the danger of persecution, we had not acted most imprudently? Evidently, I think, we would: And I am certain it would have been reckoned such Quixotism in loyalty, as would have exposed us to the contempt and ridicule of all the sensible part of mankind. If it be said that this comes ill from the mouth of a man who used to preach up the doctrine of passive obedience, I reply, that there is a great difference between a King in *actual possession of the throne*, and a Prince who, by accepting of certain disqualifying offices, before

before the succession opened to him, had incapacitated himself from being King. To the former, passive obedience might be a duty, because he was by the supposition actually our Sovereign; but to the latter, *no* obedience, either active or passive, could be due; because, he never was our King, having, by his own act and deed, prevented, as before observed, any relation from being formed between himself and the people of these realms. And with respect to passive obedience, let me once for all observe, that tho' I believe it to be a Christian duty, when there is no contract, or equivalent agreement between a King and his subjects, as appears from David's behaviour to King Saul, and what our blessed Saviour said to St Peter in the garden of Gethsemane, when his sword was drawn in defence of his own sacred and divine person, "Put up thy sword into its sheath; for they that take the sword, shall perish by the sword:" Yet I am clearly of opinion, that, when a Prince accepts of a Crown, upon the express supposition of resistance being lawful, he cannot consider himself as a righteous Sovereign, unless the people have, in his own judgement, a right, in extreme cases, to take arms in their own defence. And if so, he has certainly no claim to absolute and unlimited passive obedience. But be this as it may, moderation is so much the duty both of the governors and governed, that I shall always consider that clergyman both as an unworthy minister and a bad subject, who either preaches up resistance to the people, or tyranny to the Prince.

The claim then of the youngest grandson of King James VII. being thus discussed, I now proceed to consider that of the King of Sardinia; upon which, there is no necessity of enlarging a great deal; inasmuch as his father and grandfather have renounced their own right, and the right of their heirs and successors to the throne of Great Britain, and have guaranteed the succession thereof to the family of Hanover, by many different treaties: particularly that of Utrecht, 1714; the Quadruple alliance at London, anno 1718; the treaty of Worms, anno 1743; and the peace of Aix-la-Chapelle, 1748; and that of Paris, anno 1763. See the Scots Magazine for the year 1744, p. 28.; also the Scots Magazine for the year 1748, p. 240.; and there read the 11th article of the preliminaries of the peace
1748,

1748, with the note subjoined, which contains the 5th article of the Quadruple alliance above mentioned. Consult likewise pages 535. and 536. of the same volume, where you will see article 19th of the general definitive treaty, concluded between the Kings of Great Britain, France, Sardinia, &c.—But to this reasoning, Mr Murray and his friends object in the following terms: “ At the time “ when the author’s supposed renunciations could have “ taken place, the Sovereigns here alluded to, had no title either to claim or renounce. To talk, therefore, of “ renouncing a title which did not exist, is an absurdity “ unworthy of notice *.” This is very peremptory language, and therefore the subject should surely have been well considered before it had been adopted. But indeed when men of Mr Murray’s education and capacity pretend to discuss such points, we may well apply to them the old adagium, —*Ne futor ultra crepidam*, let not a shoemaker go beyond his last; for they seem to be greatly beyond their depth. Be that as it will, it is not so very difficult to conceive, how a right in reversion may be renounced, but that a little reflection, and a little common sense, might have satisfied the writer of the above note, that it is possible. For I can assure him, without danger of being confuted, that a reversionary right is as capable of being surrendered, as one in possession, though it does not convey a power of entering upon the premises, until the demise of the immediate heir. This is so clear a case, that no sensible lawyer in the kingdom will deny it: because it is well known, that such reversionary rights have been frequently bought and sold; as Mr Murray may know, by enquiring at any experienced and judicious member of the Court of Session. But why do I send him to a lawyer? Let him consult his Bible, and there he will see, that Esau sold and renounced his birth-right; which by the best interpreters, is explained to be his right to the priesthood, (for which he is called a *profane* person), before his father’s death; and consequently, before he was in possession of that sacred privilege. And if so, it follows, that the predecessors of the King of Sardinia might renounce their title to the throne of Great Britain, before they got possession of these kingdoms; and

* See Note, p. 13. of the above-mentioned Letter.

as his Sardinian Majesty has acknowledged the present King of Great Britain, by keeping an Ambassador at his Court, and by receiving an Ambassador from him; whose chaplain, by his permission, prays for King George, as lawful Sovereign of Great Britain, in his capital of Piedmont, he has plainly homologated the deeds of his father and grandfather in favour of the Hanoverian family, and to all intents and purposes has renounced his right to our throne, and set us free from the allegiance we would otherwise have owed him: so have the Kings of France, Spain, and the Emperor, who are the next heirs in succession, in the above-mentioned treaties. Whence it follows, that the moment Prince Henry declared his resolution to continue Cardinal, and keep the Bishopric of Fiescati after his brother's death, we that moment were at liberty to transfer our allegiance to his Majesty King George III. and to acknowledge him for the lawful Sovereign of Great Britain.—This is so clear, and such solid reasoning, that I am satisfied it is not possible, on any rational principles of government, to confute it. Indeed nothing, I think, that has the appearance of argument can be urged against it, except it be said, that the Crown of Scotland is entailed, and so the right to it indefeasible; which by the constitution of the kingdom, must pass in succession to the legal series of heirs, one after another; it not being defeatable, if I may use the expression, by any deed of the present possessor; who can only renounce for himself, but not for his posterity or successors. This is the objection in full force. In answer to which I observe, *first*, That it is expressly contradictory to the history of our kingdom; it being a fact, that the right of succession was altered twice by King Robert Bruce; first, in a Parliament at Ayr *anno* 1315, when he settled the crown upon his brother Prince Edward and his heirs male, in preference to his own daughter Marjory, who consented to the deed, and is expressly styled in the act, her father's *apparent heir*. See Fordun's History, book xii. chap. 24. And *2dly*, in a Parliament at Scone *anno* 1318; when the Crown was settled, failing heirs male of King Robert's own body by his son David, upon Robert, the infant son of his daughter Prince's Marjory. Fordun, book xiii. chap. xiii. I may add, that the mode of succession was altered again, *anno* 1373, in a Parliament held at Scone,

by

by the same Robert Stuart, in whose favour his grandfather had settled it, as just now observed. See the act of settlement, in the Appendix to the late learned and worthy Mr Thomas Ruddiman's Answer to Mr Logan on government; by which it appears, that the younger sons of the said Robert Stuart, and their heirs-male, were to succeed to the Crown, in preference to the heirs-female of his eldest son. Besides, to alledge that the Crown of Scotland is entailed, is to maintain a downright absurdity: for it is to assert, that the supreme or legislative power can be greater at one time, or in one age, than another, which is repugnant to common sense. The Crown can only be entailed by King and Parliament; and there is no act which the King and Parliament can make to-day, which the same, or another lawful King and Parliament, may not repeal to-morrow. And therefore, though it be true, that James VII. when Duke of York, did, by closetting the members, flattering some, and threatening others, (as is well known to those who are acquainted with the history of his government here), obtain a law, *anno* 1681, declaring the succession to the Crown to be unalterable, and that it should be high treason to speak or write in defence of such alteration; though this, I say, be true, it is clear, that that act of Parliament was *ipso facto* null and void from the beginning; because it was inconsistent with the principles of the constitution displayed in the preceding acts of the two King Roberts, and derogatory from the authority of the King, and his heirs and successors, and their Parliaments, which no power on earth could controul. It was also nonsense in itself, as appears at first sight; because it supposes, that the Parliament held by James, when Duke of York, could make a law to entail the kingdoms of Great Britain and Ireland, which no other Parliament could repeal; and consequently, that that Parliament was paramount or superior to every other. Or, though any should be so weak, as seriously to maintain the validity of that act, it is now virtually and to all intents and purposes repealed by the King of Sardinia's acknowledgement of his present Majesty's right; for thereby is ratified Queen Anne's act of settlement in favour of the Hanoverian family, as fully and truly, though not so formally, as if he had been upon the British throne, and had consented to an act of Parliament for that purpose.

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It now only remains to show, that the King of Sardinia can lawfully, by his act and deed, bind his posterity and successors. And this is so plain a truth, that he who runs may read it. For I have already proved that the kingdom of Scotland is not entailed, because it has been twice altered already by King Robert Bruce, with the consent of his parliament, and once by King Robert Stuart; and what was lawful for them to do in the fourteenth century, must be in the power of every other king and parliament in this age, as before observed. Indeed, were there no such precedents, it is obvious that it must be competent to the supreme power to alter the succession, or any other part of the constitution, at any time; because, being at all times uncontrollable, or *omnipotent*, as Judge Blackston expresses it, all the affairs of the kingdom must be subject to its order and government; especially when it acts agreeable to the sense of the nation. And therefore, as not only the peers of this realm, but the great body of the people, have long ago acknowledged the Royal Family of Hanover, the King of Sardinia, by acquiescing in King George's title to the throne of Great Britain, in the manner before mentioned, has, to all intents and purposes, ratified the act of settlement in favour of the House of Brunswick, and thereby hath as effectually, though not so formally, cut off the right of his posterity and successors to our Crowns, as King Robert Bruce and his daughter Marjory, by their settlement of the Crown of Scotland upon Prince Edward Bruce, cut off the right of their issue; or as Robert II. cut off the right of his eldest son's daughters, by ordering his own younger sons to succeed before them. Indeed, to deny that a lawful king has a right to bind his posterity and successors by an act renouncing his inheritance, is to allow him less power than the meanest of his subjects; and to deny him a privilege, which has been claimed, and actually exercised by all parents and princes in every age and nation where property has been established, and, I may add, which has been virtually implied in all conveyances of estates among subjects, and in all leagues and treaties between sovereigns, from the foundation of the world to this day. For who would ever have purchased an estate, and paid its full value, if the right to it was to expire with the life of the seller? Or what prince would have treated with another upon any subject relative to dominion, or the

cession of kingdoms, if the agreement was to be binding only during the natural lives of the contracting parties? Evidently none would: For which reason, such a doctrine cannot be admitted, nor even thought of without horror; because it would not only effectually prevent all commerce among mankind for the future, about matters of the greatest consequence, I mean estates and kingdoms; but would, moreover, involve in its bosom also the most dreadful consequences, as it would be the parent of eternal wars and bloodshed, on account of the sales and treaties which have been long since made. Could the Emperor of Germany, for example, lawfully reclaim the territory of Silesia from the King of Prussia, and the duchy of Lorraine from the King of France; could the French king demand the kingdoms of Naples and Sicily, upon the pretence that they were once possessed by his predecessors; or could the Prince of Wales justly recall the independence of the Americans, because his present Majesty was necessitated to set them free; in short, were all the cessions made by princes only for 200 years back, to be revoked by their successors, (and if one may justly revoke, all the rest may), how long would it be before the nations of the world could settle their respective claims? Probably to the end of time; and before it could be done too, the most dreadful carnage behoved to ensue, as the sword would ravage every corner of the globe, and be drunk with the blood of the slain, from generation to generation. To remedy, therefore, so great evils, it must be admitted, that every kind of territory, not entailed, is disposable at the pleasure of him who is rightfully possessed of it, and that all claims of children, heirs, and successors must be for ever barred, when the conveyance has not been obtained by fraud or circumvention. Consequently, as the Emperor and King of France, are obliged to acquiesce in the cessions made by their ancestors, and the Prince of Wales will be in duty bound to acknowledge the independence of the thirteen American colonies; for the same reason are the heirs and successors of the King of Sardinia, in conscience, bound to ratify his and his predecessors deeds in favour of the Royal Family of Hanover. And the conclusion of all is, (as already observed), that we who formerly adhered to the House of Stuart, are fairly set free from our allegiance to that House, and to the Sardinian family; and that, consistently with our former

mer principles of government, and agreeable to the constitution of Scotland, we were at liberty to submit to his Majesty King George III. the moment that the youngest grandson of King James VII. signified, after his brother's death, his resolution to continue Cardinal, and Bishop of Frescati. How this reasoning may appear to those who are displeased with this change, I cannot pretend to divine. But I have the pleasure to know, that it has been approved of by some of the ablest judges in this kingdom; and I can say with truth and a good conscience, that I never acted at any time in a fuller persuasion of the rectitude of my proceeding, than when I submitted to his Majesty's authority. For which reason, wrapt up in a just sense of my own integrity, and convinced that in complying with his Majesty's government I did what was right and proper on the occasion, I have, for several years past, possessed my soul in patience, amidst the vilifying censures of misled and angry people, who either do not, or *will not* understand what they speak, or whereof they affirm; and through the grace of God, I shall still bear up under their unjust reproaches, with the meekness that becomes a follower of him, who, when he was reviled, reviled not again, and when he suffered, threatened not. Indeed, to retire within the sanctuary of one's own breast, and to look down with pity upon the ignorance, and even malevolence of those who causelessly reproach, is a piece of fortitude and justice which a man owes to himself, who is conscious that he has done his duty. And it is no small consolation, that when he looks into his own heart, he sees no stain upon his honour respecting the matter of which he is accused, nor any blemish in his soul; and that he has just ground to hope, that wherever his good is evil spoken of, he will be countenanced and defended by all the liberal and enlightened part of the world, and by all who have candour and charity enough to believe that a man may be honest and sincere, even when he seems to change his opinions and his principles: I say, *seems to change*, for in reality I have not changed my principles, though I have acknowledged a new Sovereign, as already observed. And surely it is no just cause of censure that I have made this compliance late in life, as Mr Murray and his friends are pleased to alledge; because the *time* did not depend on me, but on the conduct of the person whose party I have forsaken. Had his brother, or

his father, accepted of offices incompatible with sovereignty, I should most certainly have forsaken them; because the same reasons would have made it necessary then, which justify me now; and those men must have very little of that virtue which thinketh no evil, who can impute the alteration I have made at so late a period of life, to any other cause but *conscience*. For, as there is no danger of persecution, God be praised, in this liberal age and country, I had nothing to fear during the short period of my existence, though I had made no compliance; and therefore, had the same adversity under which my life begun, continued until the end of it, so far as I am personally concerned, had been a matter of no consequence. Indeed, on my own account, at the age of seventy years, the alteration was not worth the struggling for; on the contrary, had I consulted my reputation among many well-meaning, and some very sensible people, whose esteem I had long enjoyed, and very much valued, I should certainly have remained silent, and taken no active part in the late revolution, because I had great reason to suspect, that the violence of their zeal and prejudices would hoodwink their reason, and prevent them from viewing the late alteration in the proper light. But as I knew it to be my duty, not only to labour for the benefit of the Church at present, but to do what was in my power to promote its interests hereafter; and as it appeared to me, that a probable opportunity of saving her from destruction then offered, by complying with his Majesty's government; therefore conscience obliged me to get up and be doing, lest children yet unborn should have cause to curse the day when I, and other such useless drones, became the governors of this Church, who, when a fair occasion seemed to present itself, of saving our divine society from destruction, suffered her to perish, through a criminal timidity of offending prejudiced friends, or through a fond, but now ill-founded attachment to the ancient family. *Conscience*, I say, obliged my brethren and me to attempt to save our Church by all lawful means in our power, of which complying with government I have proved to be one. For though the catholic, or universal church has a promise of perpetuity, or, in other words, tho' Almighty God has declared, that in some one part or other of the world, there shall always be a faithful remnant of good Christians subsisting until our blessed Saviour's

viour's coming to judgement ; yet the particular church of Scotland has no such charter from Heaven, but is as liable to have her candlestick removed, and to perish utterly, as the churches of Carthage and Aleppo, and many others, of which there is not now the least vestige ; having all perished through the just judgement of God, because of their iniquities. God grant that we may not be high-minded, but fear, lest we also fall under the divine displeasure, and our church sink, never to rise again. Indeed, as we have lost more than five hundred clergymen since the Church ceased to be established, and her members were of late daily diminishing both by death and desertion ; it is evident, that without a miracle, she must have been in the same condition in a few years, as are the Churches of Sardis and Ephesus, and those others mentioned in the Revelations. Mr Murray, therefore, or whoever was the author of the remarks on my mutilated letter, had no reason to ridicule the idea of a protecting government ; because it is manifest, that as the Deity in the administration of the world acts by second causes, no particular church can flourish in any country, without some countenance and protection from the supreme power, except in extraordinary cases, when God supports religion by supernatural means, as he did in the primitive ages. For which reason, as we had no title to expect miracles, it was happy that the youngest grandson of King James VII. put it in our power to come, in some measure, under the wings of government without violating our consciences ; because, though we cannot expect much countenance where a different form of church-government is by law established, we have reason to hope at least that we will not be frowned upon, and that no one will be molested or exposed to penalties, who is disposed to join himself to our society ; and so far will be a great benefit to us. Besides, our hands, I trust, shall be strengthened by the junction of the other Episcopalians in this country, who have hitherto been accustomed to act in opposition to our authority. For now it is to be hoped, they will see, not the propriety only, but the *necessity* also of uniting with our church, which they must acknowledge to be the remains of the ancient Episcopal Church of Scotland, and as such, a true, and I may add, a pure church ; because if they still persist in separating from her communion, and refuse to submit to the spiritual jurisdiction of her Bishops, who, according to the rules of the Catholic

Catholic Church, have alone the right to rule over them, they will, by continuing in opposition, load themselves with *much and real guilt*; as Dr Hurd, the present Bishop of Worcester, observes on a similar occasion, (Ser. 8. at Warburton's lectures, p. 255.) or, as the late Bishop Halifax expresses it (Ser. 12. at the same lecture), by forsaking the external communion of a church, where there is no urgent necessity for such a procedure, but, on the contrary, a clear obligation to peace and union, they will be without excuse, p. 370, and the imputation of schism will light upon them, and they will incur the danger and punishment annexed to that crime, p. 371. On these accounts, I say, we have reason to hope that our compliance will be a blessing to our society, and promote the interest of religion among us. But, as these are only probable advantages to the Church, we have greater cause to rejoice, because of the more certain benefits which we have done our country. For, by complying with his Majesty's government, we have removed one great cause of dissension between us and our fellow-subjects; and therefore it may be expected, that we will for the future be more cordially united in the bonds of love, and all heartily concur now in the service of our common sovereign. But besides, by our complying with his Majesty's government, we have put an end to a disputed succession, which has long been the misfortune of these kingdoms, which has deluged our nations more than once with blood, and brought some of our best families to utter ruin. And in a word, we have brought along with us many thousands of our fellow-subjects, who were heretofore considered as rebels, and disaffected persons, to be as faithful and obedient as any in the three kingdoms, and so have given the King and people of Great Britain to know assuredly, that upon account of the ancient family, they shall never hear of war any more. These are great and eminent services, not only to his present Majesty, and Royal House, but to our country. For which reason the Lord President, then Lord Advocate, knowing that with me the scheme had originated, and that by my labours and activity it had been principally carried, told me very politely, the first time I had the honour to wait upon him, that government was much obliged to me; and as a reward, which he thought our clergy justly merited, his Lordship was very
heartly

hearty and active in endeavouring to have the penal laws repealed.

I had almost forgot to observe, that we have been accused of presumption, in not consulting our laity before we made this alteration. But surely, upon a moment's reflection, this accusation will appear to be without the smallest foundation. For as high and low, rich and poor, men and women, have all an equal title to be consulted in matters relative to faith and morality, or wherein conscience is concerned, it is obvious that nineteen out of twenty of our congregations were incapable of entering into speculations on government, and consequently were incapable of giving us advice on that important subject, had it been necessary to have asked advice, which, I apprehend, was not the case. For surely the laity, even the wisest and most intelligent of them, cannot pretend a right to direct the consciences of their clergy, and of course, not to restrain them from complying, if they thought it their duty so to do. Even the Bishops, who, in spiritual matters, are certainly the visible heads of the society, have not a right to lord it over God's heritage, nor have they dominion over the faith or conscience of the meanest of their hearers. And as what they did, obliged none of the laity to comply, who were still at liberty to follow the dictates of their own minds, the people, therefore, had no title to complain, provided the scrupulous had prayers in the ancient form, which no Bishop or clergyman in the kingdom would have refused them; and those in this diocese were expressly offered, as will be noticed in the Affectionate Expostulation which accompanies this pamphlet. I cannot conclude this long letter, without again repelling with the indignation it deserves, that vile aspersions too greedily swallowed down by some, even sensible people, from whom better things might have been expected, that I have renounced my former principles, and become a traitor to the House of Stuart. I thank God it is not true. My principles of government are the same as ever; and though I can with great truth and sincerity say, that there is not a man in the three kingdoms more firmly persuaded of his Majesty's title to the throne than I now am, yet I do with honest boldness confess, that I adhered firmly to that unfortunate family, until the last heir of it, the present Prince Henry, set me at liberty to acknowledge another sovereign in the manner above related. And what Mr Dundas

das said on the occasion, every man of sense and candour will subscribe to, viz. that the steady attachment of the Scotch Episcopal clergy to their old masters, ought to be considered as a pledge and security of their fidelity to their new one. Indeed, I trust, nay firmly believe, that there are none amongst us who are not determined to live and die as faithful subjects to King George, as ever they were to the eldest branch of the Royal Family. For my own part, although with the courage which integrity only could inspire, I told Earl Hopetoun and other Peers, that I would not take the oath of abjuration for the King's dominions, because having acknowledged the right of the son and eldest grandson of King James VII. I should be perjured, and unworthy of the protection of any government, were I now to swear that they had no right; yet I am perfectly satisfied that the pious Prince upon the throne is now become my rightful and lawful sovereign, and am ready to acknowledge his right in the most solemn manner, and, by the grace of God, ever hereafter to maintain it. May the time soon come, when all the people in this island, shall, with one heart and one mouth, glorify God, even the Father of our Lord Jesus Christ, and honour and obey the king whom his divine providence hath set over us. This is the sincere and earnest prayer of King George's most faithful and obedient subject, and,

S I R,

Your very humble Servant,

WM ABERNETHY-DRUMMOND.

Forma

Forma Juramenti Electi in Episcopum Pontif. Rom.

EGO N. Electus Ecclesiæ N. ab hac hora in ante-
 fidelis et obediens ero Beato Petro Apostolo, Sanc-
 tæque Romanæ Ecclesiæ, et Domino nostro, Domino N-
 Papæ N. suisque successoribus canonice intrantibus. Non
 ero in consilio, aut consensu, vel facto, ut vitam per-
 dant, aut membrum; seu capiantur malâ captione, aut
 in eos violenter manus quomodolibet ingerantur; vel inju-
 riæ aliquæ inferantur, quovis quæsito colore. Consilium
 verò, quod mihi credituri sunt, per se, aut Nuntios suos,
 seu litteras, ad eorum damnum, me sciente, nemini pan-
 dam. Papatum Romanum, et Regalia Sancti Petri adjutor
 eis ero ad retinendum, et defendendum, salvo meo ordine,
 contra omnem hominem. Legatum Apostolicæ sedis in
 eundo et redeundo honorifice tractabo, et in suis necessita-
 tibus adjuvabo. Jura, honores, privilegia, et auctoritatem
 Sanctæ Romanæ Ecclesiæ, Domini nostri Papæ, et successo-
 rum prædictorum, conservare, defendere, augere, promo-
 vere curabo: Neque ero in consilio, vel facto, seu tractatu,
 in quibus contra ipsum Dominum Nostrum, vel eandem
 Romanam Ecclesiam, aliqua sinistra, vel prejudicialia perso-
 narum, juris, honoris, status, et potestatis eorum machi-
 nentur. Et si talia a quibuscumque tractari vel procurari
 novero, impediam hoc pro posse, et quantò citius potero,
 significabo eidem Domino nostro, vel alteri, per quem pos-
 sit ad ipsius notitiam pervenire. Regulas sanctorum patrum,
 decreta, ordinationes, seu dispositiones, reservationes, pro-
 visiones, et mandata Apostolica, totis viribus observabo, et
 faciam ab aliis observari. Hæreticos, schismaticos, et re-
 belles eidem Domino nostro, vel successoribus prædictis,
 pro posse persequar et impugnabo. Vocatus ad synodum,
 veniam, nisi præpeditus fuero canonica præpeditone. A-
 postolorum limina singulis (trienniis) personaliter per me-
 ipsum visitabo; et Domino nostro, ac successoribus præfa-
 tis rationem reddam de toto meo pastoralis officio, ac de re-
 bus omnibus ad meæ ecclesiæ statum, ad cleri et populi
 disciplinam, animarum denique, quæ meæ fidei traditæ
 sunt, salutem quovis modo pertinentibus, et vicissim man-
 data Apostolica humiliter recipiam, et quàm diligentissimè
 D
 exequar.

exequar. Quod si legitimo impedimento detentus fuero, præfata omnia adimplebo per certum nuntium ad hoc speciale mandatum habentem, de gremio mei capituli, aut alium in dignitate ecclesiastica constitutam, seu alias personatum habentem; aut his mihi deficientibus, per diocesanum Sacerdotem; et clero deficiente omnino, per aliquem alium Presbyterum sæcularem vel regularem, spectatæ probitatis, et religionis, de supradictis omnibus plenè instructum. De ejusmodi autem impedimento docebo per legitimas probationes ad sanctæ Romanæ Ecclesiæ Cardinalem proponentem in Congregatione sacri Concilii, per supradictum Nuntium transmittendas.

Possessiones vero ad mensam meam pertinentes non vendam, nec donabo, neque impignorabo; nec de novo infeudabo, vel aliquo modo alienabo, etiam cum consensu Capituli Ecclesiæ meæ, inconsulto Romano Pontifice. Et si ad aliquam alienationem devenero, pœnas in quadam super hoc aditâ constitutione contentas, eo ipso incurrere volo. Sic me Deus adjuvet, et hæc sancta Dei Evangelia.

Translation of the above Oath.

I N, elect of the church of N, will from henceforth, as heretofore, be faithful and obedient to the Blessed Apostle Peter, and to the Holy Roman Church, and our Lord N. the Pope, and to his lawful successors. I will never, on any pretence whatsoever, advise, consent, or be engaged in taking away their life, nor in maiming, laying violent hands upon, or doing them any injury. Such secrets as they shall commit to me themselves, or by messengers or letters, I shall never knowingly reveal to their hurt. I will assist them to retain and defend the Roman Papacy, and the Royalties of St Peter, (saving my own order) against all men *. I will

* When Queen Mary, on the death of her brother Edward, applied to Pope Pius IV. to have her kingdom reconciled to the See of Rome, he told her ambassador, that " he had added to her Crown the title of the kingdom of Ireland, by that supreme power which God had given him, to destroy, or to build kingdoms at his pleasure." And upon Queen Elizabeth's accession the

will honourably treat, entertain, and assist the Legate of the Apostolic See, in going and returning on his journeys. I will endeavour to preserve, defend, *augment, and promote*, the rights, honours, privileges, and authority of the Holy Roman Church, and of our Lord the Pope, and his successors aforesaid: Nor will I ever counsel, or be concerned in contriving or doing any thing which shall be prejudicial to their persons, rights, honours, or privileges. And if I shall come to the knowledge that such things are meditated, or attempted by others, I shall do my utmost to prevent it, and shall as soon as possible make it known myself to the same our Lord, or by some other person. I will observe sincerely and heartily all the regulations, decrees, ordinances, dispositions, and provisions, made by the Holy Fathers, and also the commands of the Apostolic See, and
do

the same Pontiff claimed the kingdom of England as a fee of the Papacy, and said, "it was a high presumption in her to take the Crown without his consent." In like manner, his predecessor Pope Julius III. pretended, that "as God's vicar, he had power to root out and to destroy, and had authority over all the kingdoms of the world." Indeed this audacious claim to temporal authority over all kings and kingdoms the Popes had set up centuries before, and I may add, it had been virtually granted, or rather confirmed to Alexander III. by the fore-mentioned famous general council of Lateran, *ann.* 1415, which authorised him to dispose of the kingdoms of heretical princes, and to absolve their subjects from their allegiance. Nor has it, as far as I know, ever been renounced by any of his successors. For the same oath is at this day exacted of all Popish Bishops *which was required at the Reformation, when this insolent claim was in full vigour.* And as all oaths must be taken in the sense of the imposers, since the Popes still require the Bishops to swear, not only to assist them in retaining and defending the Roman Papacy and Royalties of St Peter, but also to *augment or increase the rights and privileges of the Roman Church and Apostolic See*, it is submitted, whether such as take this oath, when they happen to be Sovereigns, are not obliged, both to acknowledge the temporal authority of the Pope themselves, and to subject their kingdoms to his dominion. To me this is plain; and if so, the taking of that oath alone, was *ipso facto* a forfeiture of the Cardinal of York's right to our allegiance. In this sentiment I am confirmed by the opinion of the late worthy Mr Thomas Ruddiman, one of the firmest friends of the House of Stuart, and one of the most learned men this country ever bred. For in his answer to Mr Logan's treatise on Government, p. 14. having occasion to mention the letter from the nobility and gentlemen of Scotland, *ann.* 1320, to the Pope, in which they tell him that, should Robert Bruce subject the kingdom to the King of England, they would expell him, and set up another Prince who should maintain their independency; Mr Ruddiman adds, "this says no more than what should be said to the most rightful king who should subject his and the kingdom's independency to a foreign yoke, That he left off to be their king, as having before degraded and unkinged himself. In which event, the people are certainly at liberty to adhere to the next righteous heir who would maintain and support their natural liberty."

do what I can, to make others observe them. All heretics, schismatics, and rebels, to the same our Lord, or to his successors aforesaid, I will, to the utmost of my power, prosecute, and oppose. When called to a synod, I will attend, unless hindered by a canonical excuse. I will personally visit the Church of the Apostles, (St Peter's and St Paul's at Rome, *Apostolorum limina*), every three years, and render an account to our Lord, and to his successors, of all my pastoral office, and of every thing respecting the state of my church, the discipline of my clergy and people, or whatsoever relates to the salvation of the souls which are committed to my charge. And I promise again, to receive the Apostolic mandates (the Pope's commands) with humility, and to execute them with the utmost diligence. If I shall be prevented by any lawful impediment from discharging in person the above duties, I shall take care that it be executed by a special messenger, one of my chapter, or some other dignitary, or one having authority, and of respectability in the church: or, if I have none such, I shall either send a Priest of my Diocese, or some secular or regular clergyman, of known probity and religion, who shall be properly and fully instructed as to all those matters. And I shall transmit authentic proof of the lawfulness of my own excuse to the presiding Cardinal in the sacred council of the Holy Roman Church, by the said messenger.

I shall not sell, nor gift away, pawn, feu, or any manner of way alienate, any part of my glebe, or what contributes to my support, even although I have the consent of my chapter, without previously consulting the Roman Pontiff. Or if I shall consent to any alienation, I willingly agree to suffer the penalty decreed to that crime. So help me God, and his holy gospels.

